UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2145	

NOTIFICATION DATE	DELIVERY MODE
08/01/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)	
Office Action Summary	10/622,032	SAARE ET AL.	
	Examiner	Art Unit	
	RYAN J. JAKOVAC	2145	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06/12/2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-30</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-30</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
>
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
>
> patent by another filed in the United States before the invention by the applicant for patent, except that an
>
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
>
> subsection of an application filed in the United States only if the international application designated the United
>
> States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-5, 10-15, 20-25, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated

by U.S. 2003/084165 to Kjellberg et al (hereinafter Kjellberg).

        Regarding claims 1, 11, and 21, Kjellberg teaches a system and method comprising:

        a portal server for displaying a user customizable page comprising information and a

plurality of function links for invoking application functions (Kjellberg, fig. 1, provisioning

server (portal server) provides applications to client devices. Paragraph [0028], client accesses

the server through HTML. Paragraph [0029], application menu is specific to the type of client

device. See also paragraph [0006].);

a plurality of applications, wherein each application performs at least one of the application functions (Kjellberg, paragraphs [0006], [0025-0031], multiple applications, applications are mapped to functions);

a network framework for identifying a device accessing said portal server (Kjellberg, Paragraph [0029], application menu is specific to the type of client device.); and

identifying a particular application helper module of a plurality of application helper modules based on a device type of a plurality of device types, wherein said device is of said device type (Kjellberg, [0025], versions of the requested application specific to the requesting device type are provisioned by corresponding modules. See fig. 1 and paragraphs [0028-0030].); and

said plurality of application helper modules associated with a plurality of implementations of an application for said plurality of device types, wherein each application helper module is associated with a particular implementation of plurality of implementations of said application (Kjellberg, [0025], versions of the requested application (i.e. implementations of an application) specific to the requesting device type are provisioned by corresponding modules. See fig. 1 and paragraphs [0028-0030].) and is configured to:

obtain an application link for said particular implementation of said application, and provide said application link to said portal server (Kjellberg, [0006], URL obtained and used by sever. [0029-0030], application menu is constructed that is specific to the client device. deployment manager constructs URL, which is used by the provisioning server.),

wherein said portal server accesses said particular implementation of said application using said application link to provide content from said particular implementation of said

application for display on a web page on said device (Kjellberg, [0029-0030], application menu

is constructed that is specific to the client device. deployment manager constructs URL, which is

used by the provisioning server in the deployment of services. Paragraph [0028], client accesses

the server through HTML. Paragraphs [0004-0006], [0030-0031], content is displayed on the

user device.).

Regarding claims 2, 12, and 22, Kjellberg teaches the system and method as described in

claims 1, 11, and 21 wherein said particular application helper module is selected based on

predetermined user interface capabilities of said device (Kjellberg, paragraph [0028], Channels

are used to carry HTML to web browsers, WML to WAP browsers, and SMS to SMS

applications within mobile phones. Paragraph [0029], Application menus are presented based on

device type.).

Regarding claims 3, 13, and 23, Kjellberg teaches the system as described in claims 2, 12,

and 22 wherein further said function requested by said portal server is to launch said particular

application (Kjellberg, paragraph [0030], The requested application is fetched from the

application server and provided to the client device.)

Regarding claims 4, 14, and 24 Kjellberg teaches the system as described in claims 2, 12,

and 22 wherein further said function requested by said portal server is to display information

contained in a database record of said application (Kjellberg, paragraph [0029], application

menus are presented from the user profiles database based on device type.).

Regarding claims 5, 15, and 25 Kjellberg teaches the system and method as described in

claims 2, 12, and 22 said function requested by said portal server is to modify preferences

associated with said particular application (Kjellberg, paragraph [0029], users specify

preferences which are maintained in the user profiles database.).

Regarding claims 10, 20, and 30 Kjellberg teaches the system and method as described in

claims 1, 11, and 21 wherein said application helper module is associated with a class of devices

having substantially similar user interface capabilities (Kjellberg, Fig. 1, Client devices including

PDAs, desktop computers, mobile phones and laptops.).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
>
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
>
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
>
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
>
> manner in which the invention was made.

4.   Claims 7-9, 17-19, and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Kjellberg in view of U.S. 2003/0120784 to Johnson et al (hereinafter Johnson).

Regarding claims 7, 17, and 27 Kjellberg teaches the system and method as described in claims 2, 12, and 22. Kjellberg does not expressly disclose wherein said application is an electronic mail application.

However, Johnson discloses wherein said particular application is an electronic mail application (Johnson, paragraph [0023], Typical personal data management applications include email applications, contacts applications, schedule or calendar applications, and file access applications.).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine wherein said particular application is an electronic mail application as taught by Johnson with the system and method of Kjellberg in order to provide the functionality of data management applications to the user device (Johnson, paragraph [0023]).

Regarding claims 8, 18, and 28 Kjellberg teaches the system and method as described in claims 2, 12, and 22. Kjellberg does not expressly disclose wherein said application is an electronic calendar application.

However, Johnson discloses wherein said particular application is an electronic calendar application (Johnson, paragraph [0023], Typical personal data management applications include email applications, contacts applications, schedule or calendar applications, and file access applications.).

Regarding claim 9, 19, and 29 Kjellberg teaches a system and method as described in

claims 2, 12, and 22. Kjellberg does not expressly disclose wherein said application is an

electronic address book application.

However, Johnson discloses wherein said particular application is an electronic address

book application (Johnson, paragraph [0023], Typical personal data management applications

include email applications, contacts applications, schedule or calendar applications, and file

access applications.).

5.   Claims 6, 16, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kjellberg in view of U.S. 2003/0022657 to Herschberg et al (hereinafter Herschberg).

Regarding claims 6, 16, and 26, Kjellberg teaches a system and method as described in

claims 5, 15, and 25. Kjellberg does not expressly disclose wherein said link provided by said

particular application helper module is null provided said particular implementation of said

application helper module restricts preference modification of said particular application.

However Herschberg discloses wherein said link provided by said particular

application helper module is null provided said particular application helper module restricts

preference modification of said particular application (Herschberg, paragraph [0116], Status

information displayed to the user is designated as disabled based on status modification (i.e.

restriction of preference modification).).

Therefore it would have been obvious to one of ordinary skill in the art at the time of

invention to combine wherein said link provided by said particular application helper module is

null provided said particular application helper module restricts preference modification of said

particular application as taught by Herschberg with the system and method of Kjellberg in order

to modify access rights for a user (Herschberg, paragraph [0116]).

Response to Arguments

6.   Applicant's arguments filed 06/12/2008 have been fully considered but they are not

persuasive. Applicant argues that Kjellberg fails to teach or suggest *having multiple application*

helper modules that are associated with multiple implementations of an application formatted for

multiple device types, in which the application helper module is selected based on the device type

and is associated with the particular implementation formatted for the device type. Kjellberg, in

at least paragraph [0025] discloses a "plurality of application helper modules associated with a

plurality of implementations of an application for said plurality of device types, wherein each

application helper module is associated with a particular implementation of plurality of

implementations of said application" Paragraph [0025] discloses versions of the requested

application (i.e. implementations of an application) specific to the requesting device type that are

provisioned by corresponding modules (i.e. the " plurality of application helper modules

associated with a plurality of implementations".). Fig. 1 of Kjellberg also discloses the "plurality

of application helper modules associated with a plurality of implementations of an application

for said plurality of device types".

Applicant argues that Kjellberg fails to teach or suggest *a portal server accessing the*

particular implementation of the application using an application link provided by the

application helper module to display content from an application on a web page on a device.

However, Kjellberg discloses "obtain an application link for said particular implementation of

said application, and provide said application link to said portal server" in at least paragraphs

[0006], and [0029-0030]. Kjellberg also discloses "wherein said portal server accesses said

particular implementation of said application using said application link to provide content from

said particular implementation of said application for display on a web page on said device" in at

least paragraphs [0028-0031], and [0004-0006] as detailed in the above rejections.

      Applicant argues that the dependent claims are patentable in light of the arguments

directed towards Kjellberg, however these arguments are not persuasive, as detailed above.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

      A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145